



CONSTITUTIONAL CHARTER

OF THE SOVEREIGN MILITARY

HOSPITALLER ORDER

OF ST. JOHN OF JERUSALEM

OF RHODES AND OF MALTA

Promulgated 3rd September 2022

This official translation according to art. 61 §2 Const. is not be intended as a modification of the Italian text approved by the Holy Father on September 3, 2022.

In the event of differing interpretations, the official text in the Italian language shall prevail. (Art. 61, §. 3 Constitutional Charter).

CONSTITUTIONAL CHARTER

TITLE I THE ORDER AND ITS NATURE

Article 1

Origin and nature of the Order

§ 1 - The Sovereign Military and Hospitaller Order of Saint John of Jerusalem, of Rhodes, and of Malta, by tradition chivalrous and nobiliary, arose from a group of hospitallers of the Hospice of Saint John of Jerusalem, who had been called upon by historical circumstances to augment their original charitable enterprise with chivalrous service for the defence of pilgrims to the Holy Land and of Christian civilization in the East, which in time became sovereign in the Islands of Rhodes and later Malta.

§ 2 – It is a lay religious Order, recognised by Pope Paschal II with the Bull *Pie postulatio voluntatis*, and is a subject of international law.

§ 3 – In this Constitution and in the Code, the Sovereign Military Order of Malta is also referred to as the “Order of Malta” or simply as the “Order”.

§ 4 – In the rules which follow, the term Code refers to the Code of the Order.

Article 2

Purpose

§ 1 - The purpose of the Order is the promotion of the glory of God through the sanctification of its Members through the *tuitio fidei* and *obsequium pauperum*, especially with the poor and the sick, in service to the Holy Father, in accordance with its ancient traditions.

§ 2 - True to the divine precepts and to the admonitions of our Lord Jesus Christ, guided by the teachings of the Church, the Order bears witness to the Christian virtues of charity and brotherhood and leads its Members to become faithful disciples of Christ.

§ 3 – The Order carries out its charitable works for the sick, the needy and the refugees without distinction of religion, ethnicity, sex, origin and age. The Order fulfils its institutional tasks especially by providing social and health assistance, particularly to victims of exceptional disasters and of war, bearing witness to Christian charity.

Article 3

Territorial Organization

§ 1 – The Order’s territorial organizations comprise Priories, Sub-Priories and National Associations. Certain Priories may be upgraded to Grand Priories by a resolution of the Chapter General.

§ 2 – It is the exclusive competence and responsibility of the Priories, Sub-Priories and Associations to rule the Members of the Order, and to promote and supervise the hospitaller and charitable works of the Order, subject to the prerogatives and responsibilities of the Grand Master. They manage their assets under the supervision of the Grand Magistracy. They may also act as instrumental bodies having an international or local nature pursuant to Article 40 of this Constitutional Charter.

Article 4 Sovereignty

The Order is a subject of international law and exercises sovereign functions in respect of the purpose referred to in Article 2 herein. It maintains diplomatic relations with States and International Organisations¹.

Article 5 Relations with the Apostolic See

§ 1 – The Order of Malta has, *ipso iure*, a public juridical personality in the Church.

§ 2 – Religious Members through their vows, as well as Members of the Second Class through the Promise of Obedience, are subject to their own Superiors.

§ 3 – The churches and conventual institutions of the Order are exempt from the jurisdiction of diocesan bishops and are directly subject to the Holy See.

§ 4 – In accordance with Canon Law, the acquired rights, customs and privileges granted or recognised to the Order by the Supreme Pontiff, remain in force unless expressly revoked.

§ 5 – The Supreme Pontiff appoints as his representative to the Order a Cardinal who takes the title of *Cardinalis Patronus*, who may be given special powers. The *Cardinalis Patronus*, as a sign of the Holy Father's attention for the Order, has the task of promoting the spiritual interests of the Order and its Members as well as the relations between the Holy See and the Order.

§ 6 – As a subject of international law, the Order has diplomatic representation to the Holy See, according to the norms of international law.

§ 7 – The religious nature of the Order does not prejudice the exercise of its prerogatives as a subject of international law recognised by States.

¹ See Francis, Decree of 3 September 2022; Tribunale Cardinalizio, Sentenza del 24 gennaio 1953 (Cfr. AAS. 45 [1953] 765 – 767).

Article 6
Sources of the Order's Law

The sources of the Order's law are:

- 1 – the Constitution, the Code of the Order and the Canon Law;
- 2 – the acts of the Roman Pontiff of a regulatory nature concerning the Order;
- 3 – the legislative provisions according to Article 15 §3 a) of the Constitution;
- 4 – international agreements ratified according to Article 15 §3 d) of the Constitution;
- 5 – the customs and privileges legitimately acquired by the Order and not specifically revoked.

Article 7
Official Language

The official language of the Order is Italian. Official communications may also be conducted in other languages, in addition to Italian.

Article 8
Flags, Insignia and Armorial Bearings of the Order

§ 1 - The flag of the Order bears either the white Latin cross on a red field or the white eight-pointed cross (cross of Malta) on a red field.

§ 2 - The armorial bearings of the Order display a white Latin cross on a red oval field, surrounded by a rosary, all superimposed on a white eight-pointed cross and displayed under a princely mantle surmounted by a crown.

§ 3 - A special regulation, approved by the Grand Master with the deliberative vote of the Sovereign Council, defines the characteristics and the use of the flags, the insignia and the armorial bearings of the Order.

TITLE II
THE MEMBERS OF THE ORDER

Article 9
The Classes

§ 1 – The Sovereign Military Order of Malta comprises Members who participate, according to their state of life, in fulfilling the charism and mission of the Order. The Members of the First Class, or Knights of Justice also called Professed, and the Professed Conventual Chaplains, who have taken both temporary simple and solemn religious vows, are the essential core of the Order. They are accorded full duties and rights. Given, however, the lay nature of the Order, the Professed Chaplains can only vote except as provided in Article 29 §1 d) according to which they can also be voted.

§ 2 - The Members of the Second Class, who are bound to the Order through the Promise of Obedience, and the Members of the Third Class, by reason of their status are given specific duties and rights.

§ 3 - Individual Classes and categories of membership are governed by the Code.

§ 4 - The Code provides for the appointment of Members *ad honorem*.

Article 10

Obligations of the Members

§ 1 - Professed Members, aware of their vocation and the obligations freely undertaken before the Church and the Order, shall conform their lives to the spirit of the Gospel and the Magisterium of the Church according to the Constitutional Charter and the Code, strive for religious perfection and devote themselves to the apostolic work of the Order, bearing witness to the Faith and Charity.

§ 2 - The Members of the Second and Third Class, in accordance with the duties of their status and according to the charism of the Order, shall lead exemplary lives according to the Gospel, the teachings and precepts of the Church, and devote themselves to the apostolic works of the Order, bearing witness to Faith and Charity.

TITLE III

THE GOVERNMENT OF THE ORDER

Article 11

Exercise of Power in the Order

The legislative, executive and judicial functions are reserved for the competent Bodies of the Order, in accordance with the provisions of the Constitutional Charter and the Code.

Article 12

The Grand Master

Sovereign prerogatives and honours and the title “Most Eminent Highness” are reserved to the Grand Master, Head of the Order.

Article 13

Requisites for election as Grand Master

§ 1 – Only a Professed Knight in Solemn Vows can be elected Grand Master.

§ 2 - The Grand Master is elected for a period of ten years or until his eighty-fifth birthday, by the Council Complete of State pursuant to Article 32. The person elected must have been in Solemn Vows for at least ten years, if younger than fifty years of age; for Professed Knights over the age of fifty who have been Members of the Order for at least ten years, three years of Solemn Vows are sufficient. At the end of his tenure, the Grand Master may be reconfirmed once for another ten-year period and, in any case, until his eighty-fifth birthday.

§ 3 - The Grand Master elect shall communicate his election to the Holy Father in a letter written in his own hand.

Article 14

The Grand Master’s Oath

The Grand Master elect, after his election is confirmed by the Holy Father, takes the following oath in the presence of the Cardinalis Patronus, in a solemn session of the Council Complete of State:

“By this most Holy Wood of the Cross and by God’s Gospels, I ... do solemnly promise and swear to observe the Constitution, the Code, the Rule and the laudable customs of our Order conscientiously. So, help me God, and if I do otherwise, may it be to the risk of my soul”.

Article 15

Authority of the Grand Master

§ 1 - The personal authority of the Grand Master extends to all persons, organisations and properties of the Order, according to the laws of the Order.

§ 2 - The Grand Master, in his supreme authority, sees to the general government of the Order and attributes charges and offices under this Article.

§ 3 – It pertains to the Grand Master:

- a) to issue laws, at the mandate of the Chapter General, or directives in matters that are not governed by the Constitution, the Code or other laws of the Order;
- b) to promulgate by decree the acts of government;
- c) to enforce the acts of the Holy See that concern the Order, and to inform the Holy See annually of the state and needs of the Order;

- d) to ratify international agreements;
 - e) to admit, as provided for in the Code, Members of the Order to the Novitiate and to Simple and Solemn Vows;
 - f) having heard the Sovereign Council, to appoint or reconfirm for a term of six years the Coordinator of the Second Class or dismiss him for serious reasons;
 - g) to admit Members of the Third Class to the Promise of Obedience, after having heard the Sovereign Council;
 - h) to receive Members into the Third Class of the Order;
 - i) to convene the Chapter of Professed, and the Chapter General according to the provisions of the Constitutional Charter and the Code;
 - l) to administer, through the Receiver of the Common Treasure, the assets of the Grand Magistracy and supervise the correct management of the assets owned by the Order's legal Entities;
 - m) to grant, with the deliberative vote of the Council of Professed and the Sovereign Council, the license referred to in Article 56 §1 herein;
 - n) to ensure the effective presence of the High Charges at the Grand Magistracy.
- § 4 - It pertains to the Grand Master to supervise the conventual houses, the churches of the Order, as well as the organisations authorised to use the Order's emblem, so that discipline is observed and the religious spirit is maintained.

Article 16

Residence

The residence of the Grand Master is at the Grand Magistracy, from which he may be absent only for official duties or for justifiable reason.

Article 17

Resignation from Office

In order to be effective, the resignation from office by the Grand Master must be accepted by the Council Complete of State, especially convened by the Grand Master, and communicated to the Holy Father.

Article 18

Extraordinary Government

§ 1 - In the case of the permanent incapacity, resignation or death of the Grand Master, the Order is governed by a Lieutenant ad interim in the person of the Grand Commander who can exclusively carry out acts of ordinary administration without

introducing any innovation until the election of the new Grand Master or Lieutenant of Grand Master.

§ 2 – The permanent incapacity of the Grand Master is declared by the two-third majority of the Members of the Sovereign Council and of the Council of Professed, which have been convened and chaired by the Grand Commander or, in the absence thereof, by the Grand Chancellor, or self-convened by an absolute majority. The resolution shall become effective only after having been confirmed by the Holy See.

§ 3 - The Lieutenant ad interim, after hearing the Sovereign Council, shall convene the Council Complete of State not earlier than fifteen days and not later than three months after the confirmation referred to in §2 above.

Article 19

Provisional Government

§ 1 – The Lieutenant of Grand Master is elected for a period of one year pursuant to Article 32 herein from among the Knights possessing the requisites required for the election to Grand Master.

§ 2 - The Lieutenant of Grand Master elect, shall communicate his election to the Holy Father in a letter written in his own hand and shall go to the Roman Pontiff to ask for his blessing.

§ 3 - In order to be effective, the resignation from office by the Lieutenant of Grand Master must be accepted by the Council Complete of State, especially convened by the Lieutenant of Grand Master, and communicated to the Holy Father.

§ 4 - The Lieutenant of Grand Master has the same powers as the Grand Master, except the honorary prerogatives of sovereignty.

Article 20

The High Charges

§ 1 – The High Charges are:

- the Grand Commander
- the Grand Chancellor
- the Grand Hospitaller
- the Receiver of the Common Treasure.

Their duties are governed by the Code.

§ 2 – The Charge of Grand Commander is reserved for a Professed Knight in Solemn Vows.

§ 3 - The holders of the High Charges are elected by the Chapter General from a list of three candidates, for each High Charge, proposed by the Chapter of Professed. With the exclusion of the office of Grand Commander, a member in Obedience may be

elected with the approval of the Grand Master. After the fifth unsuccessful vote, a new list of three candidates shall be submitted.

§ 4 - In the event of the vacancy or permanent incapacity of any of the High Charges, the Sovereign Council shall proceed in accordance with the provisions of the Code.

§ 5 – Only the Grand Master can remove a High Charge with the consent of the Council of Professed.

§ 6 - The High Charges shall be actually present at the Seat of the Order, so as to ensure an effective operation of the offices assigned to them.

Article 21

The Diplomatic Representations of the Order

§ 1 - The Diplomatic Representations report to the Grand Chancellor.

§ 2 - The Heads of the Order's Missions represent the Grand Master with the governments and international organisations to which they are accredited. Even if there are structures of the Order in their respective States, they deal with the affairs entrusted to them by the Grand Master, independently, under their own responsibility.

§ 3 – The Grand Master appoints and removes the Diplomatic Representatives of the Order, on the proposal of the Grand Chancellor, after consulting the Sovereign Council.

Article 22

The Prelate

§ 1 - The Prelate is appointed by the Supreme Pontiff, after hearing the Cardinalis Patronus.

§ 2 - The Prelate is responsible for the exercise of the priestly functions of the religious of the Order. He sees to it that the religious and priestly life of the Chaplains and their apostolate are conducted according to the discipline and spirit of the Order.

§ 3 - The Prelate assists the Grand Master, the Grand Commander, and the Coordinator for the Second Class in their responsibility for both the spiritual life and religious observance of all the Members of the Order, and in all matters concerning the spiritual nature of the organisations and works of the Order.

§ 4 – At each session of the Chapter General and the Chapter of Professed, the Prelate submits a report on the spiritual state of the religious of the Order.

Article 23

Grand Master's Council Bodies

In the government of the Order, the Grand Master is assisted by the Council of Professed and the Sovereign Council.

Article 24
Conditions for the Validity of the Decisions

Decisions of the Sovereign Council and the Council of Professed are not valid if they are made in the absence of the Grand Master, unless expressly authorised by him, or whenever an absolute majority of the Members is not present, or any other legal condition is not met.

Article 25
The Sovereign Council

§ 1 - The Members of the Sovereign Council are:

- a) the Grand Master or the Lieutenant of Grand Master, who presides;
- b) the holders of the four High Charges;
- c) the five Councillors of the Council of Professed;
- d) the four Councillors.

§ 2 – The Councillors in § 1 d) are elected by the Chapter General by a majority of those present, from among the Members of the First and Second Class.

§ 3 – The Councillors remain in office for a period of six years until the election of a new Sovereign Council. No one, regardless of his Office, may be a member of the Sovereign Council for more than two terms.

§ 4 - The Grand Master shall not vote in matters requiring the Sovereign Council's consent for the Grand Master to act. In the event of a tied vote, the decision remains suspended.

§ 5 - In the case of death, resignation, permanent incapacity or absence for more than six months or any other reason affecting any of the Members of the Sovereign Council, the Sovereign Council shall, with a deliberative vote, co-opt a new member of the same Class.

Article 26
The Council of Professed Knights

§ 1 – the Members of the Council of Professed are:

- a) The Grand Master or the Lieutenant of Grand Master, who presides;
- b) the Grand Commander;
- c) five Councillors elected by the Chapter of Professed.

§ 2 – The Coordinator for the Second Class, if Professed, shall be invited to attend the meetings without the right to vote.

§ 3 - The Grand Chancellor, without the right to vote, may be invited if considered advisable.

§ 4 - The Councillors remain in office for a period of six years until the election of a new Council of Professed. No one, regardless of his Class, may be a member of the Council of Professed for more than two terms.

§ 5 - The Council of Professed assists the Grand Master in the spiritual development of the Order and in the government of the First and Second Class.

§ 6 - The Grand Master shall not vote in matters requiring the consent of the Council of Professed. In the event of a tied vote, the decision remains suspended.

Article 27

Removal of Members of the Sovereign Council or of the Council of Professed

§ 1 - The removal for serious reasons of any Member of the Sovereign Council or the Council of Professed is decided by secret ballot by the respective Council with a two-thirds majority of those voting, including the vote of the Grand Master.

§ 2 – The decree of removal may be appealed before the Holy See within thirty days after being notified to the person concerned.

Article 28

The Chapter General

§ 1 - The Chapter General is the supreme governing body of the Order and is composed of representatives of the three Classes. It is convened by the Grand Master once every six years.

§ 2 – The Extraordinary Chapter General is convened by the Grand Master:

- a) whenever the Grand Master, in consultation with the Sovereign Council and the Council of Professed, deems it appropriate;
- b) by decision of the Sovereign Council taken by a two-thirds majority;
- c) at the request of at least half of the Priories, Sub-Priories and Associations.

Article 29

The Members of the Chapter General

§ 1 – The Members of the Chapter General are:

- a) the Grand Master or the Lieutenant of Grand Master, who presides;
- b) the Members of the Sovereign Council;
- c) the Prelate;
- d) twelve Delegates of the Professed Knights and three Delegates of the Professed Chaplains elected by the Chapter of Professed;

- e) the Priors and two Professed Delegates elected by the Priory Chapter or their alternates as provided for in the Code;
- f) the Sub-Priors and the two Professed Delegates elected by the Sub-Priory Chapter or their alternates as provided for in the Code;
- g) the fifteen Presidents of the Associations elected or their alternates as provided for in the Code;
- h) the Delegates elected by the Assemblies of the Priories, Sub-Priories and Associations, in numbers proportional to their Membership as set forth in the Code, to ensure effective representation of the entire Order.

§ 2 - The Capitulars shall attend personally, unless there is a justified impediment recognised as legitimate by the Grand Master. In such an event, the alternate, where provided for by the Code, shall replace the Capitular who is prevented from attending.

Article 30 *Responsibilities of the Chapter General*

§ 1 - The Chapter General safeguards the Order's charism and brings it up to date by acknowledging and addressing the Order's most important issues. It plans activities, verifies the state of the Order's assets and guides international relations.

§ 2 - The Chapter General receives the report of the Grand Master on the general state of the Order; as well as the reports of the High Charges, the President of the Board of Auditors and the Prelate to the extent of their responsibilities.

§ 3 - The Chapter General decides and promulgates the laws of the Order; it decides any amendments to the Constitutional Charter and the Code to be submitted to the Holy See for approval.

§ 4 - For the approval of modifications to the Constitutional Charter, a majority of two-thirds is required. For the approval of modifications to the Code, an absolute majority is required. In individual instances, the Chapter General may delegate the power to enact laws to the Grand Master.

§ 5 - The Chapter General elects the four elective Members of the Sovereign Council pursuant to Art. 25 §1 d) herein, as well as the seven Members of the Board of Auditors pursuant to Art. 37 §2 herein.

Article 31 *The Chapter of Professed*

§ 1 - The Chapter of Professed ordinarily takes place before the Chapter General and extraordinarily whenever the Grand Master, having consulted the Council of Professed, deems it necessary.

§ 2 - The Chapter of Professed:

- a) prepares, on the basis of a secret ballot, the binding list of three candidates for the election of the Grand Master or Lieutenant of Grand Master to be submitted to the Council Complete of State;
 - b) prepares, on the basis of a secret ballot, the binding list of three candidates for the election of the High Charges to be submitted to the Chapter General;
 - c) elects the twelve Delegates of the Professed Knights and the three Delegates of the Professed Chaplains to the Chapter General.
- § 3 - The Knights of Justice and the Chaplains in Solemn Vows are Members by right with a deliberative vote. Those in Simple Vows only attend with an advisory function.
- § 4 - The Capitulars shall attend personally, unless there is a justified impediment recognised as legitimate by the Grand Master. They cannot delegate any other person to be replaced.
- § 5 - Only the Chapter of Professed has competence in matters concerning the First Class.
- § 6 - The Chapter of Professed can make any kind of proposal to the Grand Master or to the Chapter General concerning the life of the Order.

Article 32

The Council Complete of State

- § 1 - The Council Complete of State elects the Grand Master or the Lieutenant of Grand Master from a binding list of three candidates proposed by the Chapter of Professed pursuant to Article 31 §2 a).
- § 2 – The Members with voting rights are:
- a) the Lieutenant of Grand Master or the Lieutenant ad interim;
 - b) the Members of the Sovereign Council;
 - c) the Prelate;
 - d) the Priors;
 - e) the Professed Bailiffs;
 - f) two Professed Knights for each Priory, plus a third in the event of a vacancy in the office of Prior;
 - g) the Regents of the Sub-Priories;
 - h) fifteen representatives of the Presidents of the Associations;
 - i) the Delegates elected by the Assemblies of the Priories, Sub-Priories and Associations in a number proportional to the number of their Members as provided for in the Code, to ensure that the entire Order is properly represented.

§ 3 - The Council Complete of State is validly convened if the absolute majority of those to be convened are present.

§ 4 - For the election of the Grand Master or Lieutenant of Grand Master, provided that the majority of those to be convened is in attendance, the vote of an absolute majority of those present is required.

§ 5 - After the fifth undecided ballot, the Council Complete of State shall decide, with the same majority in §4 above, whether to proceed to the election of a Lieutenant of Grand Master for a maximum period of one year.

§ 6 - If a majority of the Council Complete of State has resolved to proceed with the election of a Lieutenant of Grand Master, a run-off shall be held between the candidates who have received the most votes in the fifth ballot. In the run-off, the candidate who obtains the highest number of votes prevails; in the event of a tie, the candidate who is senior by Profession prevails, and in the event of equal seniority by Profession, the one who is senior by age prevails.

§ 7 - If the majority of the Council Complete of State has resolved to proceed with the election of a Grand Master, a further five ballots shall follow. If none of the candidates has obtained the majority referred to in §4 above, a Lieutenant of Grand Master shall be elected in accordance with §6.

§ 8 - If elected, the Lieutenant of Grand Master shall convene the Council Complete of State before the expiry of his term of office.

Article 33

The Juridical Council

§ 1 - The Juridical Council is a collegial technical advisory body, which can be consulted about especially relevant juridical questions by the Grand Master or by at least three Members of the Sovereign Council or of the Council of Professed.

§ 2 - It is composed of a President, a Vice-President, a Secretary General and the State Advocate General.

§ 3 - The Members are appointed by the Grand Master after consultation with the Sovereign Council. They are selected from among those who are experts in the juridical sciences, preferably Members of the Order, particularly versed in the law of the Order, Canon Law, and public and international law. They remain in office for three years and may be reappointed for a maximum of three also non-consecutive terms.

§ 4 - The presence of the President or Vice-President and at least two other Members is required for the meeting to be valid.

§ 5 - The work of the Juridical Council is governed by a special Regulation, approved by the Grand Master.

Article 34

The Office of Advocate General

The Office of Advocate General is composed of the State Advocate General, who may be assisted by other lawyers. The Office of the Advocate General ordinarily acts as defence counsel for the Order before both ecclesiastical and civil courts.

Article 35 *The Judicial System*

§ 1 - The Magistral Courts have jurisdiction over disputes arising within the Order, in accordance with Canon Law and the Law of the Order.

§ 2 - The Grand Master, with the deliberative vote of the Sovereign Council, appoints the Presidents, Judges and Chancellor of the Magistral Courts.

§ 3 - The judges of the Magistral Courts are chosen from among Members of the Order who are particularly experienced in the law and meet the other requirements of the Code. They remain in office for three years and may be reappointed for a maximum of three also non-consecutive terms.

§ 4 - The judicial system and the procedure followed in the Magistral Courts are governed by the Code.

Article 36 *Representation of the Order before the Courts of other States*

The legal representation of the Order in the pursuit and defence of actions before the courts of other State, pertains to:

a) the Grand Chancellor on behalf of the Order as a whole and on behalf of the Grand Magistry;

b) the body specifically determined by their By-Laws or Regulations of the Grand Priories, Priories and Sub-Priories, the Associations and other organisations of the Order, and *ius patronatus* Commanderies, on behalf of those entities.

Article 37 *Board of Auditors*

§ 1 - The Board of Auditors supervises and oversees income and expenditures, and the proper management of the entire property of the Order.

§ 2 - It is composed of seven Members elected by the Chapter General, who in turn appoint from among their number the President.

§ 3 - The Members of the Board of Auditors are chosen from among Members especially experienced in law and economics. They hold office until the next Chapter General and can only be re-elected for a second term.

§ 4 – The Board of Auditors approves the financial statements according to the provisions of the Code.

TITLE IV TERRITORIAL GOVERNMENT

Article 38

Territorial Government Organisations

§ 1 –The territorial structure of the Order's government consists of Priories, Sub-Priories and Associations, whose establishment and approval of their statutes are the responsibility of the Grand Master with the deliberative vote of the Sovereign Council and the Council of Professed.

§ 2 - Priories are mandatorily established in territories where there are at least five Knights of Justice. Sub-Priories are mandatorily established in territories where there are at least three Knights of Justice. They support the Associations, with different roles and responsibilities. They play a supervisory role to ensure that the charism, nature and mission of the Order are respected in the works carried out by the Associations. The Members of the Order in their respective territories belong either to the Priory or Sub-Priory, and to the Association.

§ 3 - The governments of the Priories or Sub-Priories shall meet regularly with the government of the Association in the same territory to agree on a common direction of government and apostolic work.

§ 4 - The procedure in §1 must be followed to unite, divide or suppress Priories, Sub-Priories or Associations.

Article 39

Establishment and Suppression of Houses

Convents, Conventual Houses and Novitiates are established or suppressed by the Grand Master with the consent of the Council of Professed.

Article 40

Other Organisations

§ 1 - The Sovereign Council proceeds to the establishment of non-jurisdictional instrumental organisations (e.g., foundations, associations, companies, etc.) with a supranational character and approves their By-Laws.

§ 2 - The establishment of non-jurisdictional instrumental bodies with local purposes and areas of competence is reserved to the Priors, Sub-Priors and Presidents of the Associations in accordance with the provisions of the Code, with notice to the Sovereign Council.

§ 3 - The provisions of the two preceding paragraphs also apply in the event of the union, division or suppression of non-jurisdictional instrumental bodies.

Article 41

Members of Priories and Sub-Priories

§ 1 - All Members of the Order residing in the territory of a Priory or Sub-Priory belong to such Priory or Sub-Priory.

§ 2 - These Members constitute the Assembly of a Priory or Sub-Priory, which meets and decides in accordance with the Code and its own By-Laws.

§ 3 - The Representatives of the Second and Third Class to the Priory or Sub-Priory Chapter are elected by their respective Classes in accordance with the Code and their own By-Laws.

§ 4 - The Prior or Sub-Prior elect cannot take office until his election has been confirmed by the Grand Master, after hearing the opinion of the Sovereign Council and the Council of Professed, and he has been sworn in.

§ 5 - The Code of the Order and the By-Laws of the Priory or Sub-Priory establish the responsibilities of the Priory or Sub-Priory Chapter and of the Assembly, to which all Members residing in the territory of such Priory or Sub-Priory belong.

Article 42

Election of the Prior and Sub-Prior and Other Offices

§ 1 - The Prior and Sub-Prior, who must be Professed in Solemn Vows, are elected by the Professed Members in Solemn Vows and Simple Vows. The Prior or Sub-Prior, after hearing the Chapter, appoints the Chancellor, the Receiver and the Hospitaller from among the Members of the First and Second Classes.

§ 2 - Exceptionally, in the event that it is not possible to elect a Knight of Justice, Professed Members of Solemn and Simple Vows may elect a Knight in Obedience as Regent, with the dispensation of the Grand Master.

§ 3 - The Prior, Sub-Prior and Regent elect, as well as the Chancellor, the Receiver and the Hospitaller cannot take office until their election has been confirmed by the Grand Master, after hearing the opinion of the Sovereign Council and the Council of Professed, and they have been sworn in.

Article 43

The Priory or Sub-Priory Chapter

§ 1 – The Members of the Chapter are:

a) the Prior or Sub-Prior or Regent;

- b) Professed Knights and Chaplains in Solemn and Simple Vows belonging to the Priory or Sub-Priory;
- c) the Chancellor, the Receiver, the Hospitaller;
- d) two Representatives of the Second Class;
- e) two Representatives of the Third Class;
- f) the Chief Chaplain.

§ 2 - The Representatives of the Second and Third Class in the Chapter are elected by their respective Class in accordance with the Code and the By-Laws.

§ 3 - The Chief Chaplain, preferably Professed, is elected by all the Chaplains belonging to the Priory or Sub-Priory.

Article 44

Term of Office of the Offices and the Chapter

The Prior, the Sub-Prior or the Regent, the Chancellor, the Receiver, the Hospitaller and the Capitulars, remain in office for six years and may be re-elected for a further term. Re-election to a third term requires a two-third majority.

Article 45

Vicar and Procurator

§ 1 - The Grand Master, after hearing the Professed of the Priory or Sub-Priory, with the consent of the Council of Professed, may, for grave cause, remove a Prior or Sub-Prior and appoint a Vicar.

§ 2 - Within one month of the appointment, the Vicar shall summon the Professed to elect the new Prior.

§ 3 - For grave cause, the Grand Master, having heard the Professed of the Priory or Sub-Priory, with the consent of the Council of Professed, may appoint a Procurator who shall hold office until the normal election term.

§ 4 - The Vicar or Procurator must, as a rule, be a Professed Knight, also not belonging to the Priory or Sub-Priory.

Article 46

The Associations

§ 1 – Associations are established by decree of the Grand Master, with the consent of the Sovereign Council, in territories with at least fifteen Members.

§ 2 - Their By-Laws are drafted in accordance with the provisions of this Constitutional Charter, the Code, the Canon Law and the domestic legislation of the States in which they are established, and are approved by the Grand Master, with the consent of the Sovereign Council.

§ 3 - In territories where an Association and a Priory or Sub-Priory coexist, the Prior or Sub-Prior oversees the exact fulfilment of the Order's charism in the works of the Association.

Article 47

Members of the Association

§ 1 - All the Members of the Order residing in the territory of an Association belong to such Association.

§ 2 - These Members constitute the Assembly of the Association, which meets and passes resolutions in accordance with the Code and its By-Laws.

Article 48

Government of the Associations

§ 1 - Associations are governed by a President and a Board of Directors in accordance with the Code and its By-Laws.

§ 2 - In the conduct of the Association, the President is assisted by the Treasurer and the Secretary General.

Article 49

Election of the President, Treasurer, Hospitaller and Secretary General

§ 1 - The President, Treasurer, Hospitaller and Secretary General are elected by the Assembly of the Association, preferably from among the Members of the First and Second Class.

§ 2 - The Grand Master, after consulting the Sovereign Council, confirms the appointment of the President, the Treasurer, the Hospitaller and the Secretary General.

§ 3 - Their term of office is three years, and they may be re-elected for a second term. A two-thirds majority of those entitled to vote is required for a third re-election.

Article 50

The Board of Directors

§ 1 – The Members of the Board of Directors are:

- a) the President;
- b) the Treasurer;
- c) the Hospitaller;
- d) the Secretary General;
- e) all the Professed residing in the territory of the Association;
- f) the Chief Chaplain;

g) three Representatives of the Second Class;

h) three Representatives of the Third Class.

§ 2 - Representatives on the Board of Directors of the Second Class as well as those of the Third Class are elected by their respective Class in accordance with the Code and their own Statutes.

§ 3 - The Chief Chaplain, preferably Professed, is elected by all Chaplains who are Members of the Association.

§ 4 - The Grand Master, with the advice of the Sovereign Council, confirms the election of the Members of the Board of Directors.

Article 51

Responsibilities of the Board of Directors

The responsibilities of the Board of Directors are determined by the Code and the Association's own By-Laws.

Article 52

Professed Members of Associations

If the President of the Association is a Knight in Obedience, the Professed who reside in the territory of the Association, as religious, report to the closest Prior or Sub-Prior assigned to them by the Grand Master.

Article 53

The Commissioner

§ 1 - For grave cause, the Grand Master, after hearing the Professed Members of the Association and with the consent of the Sovereign Council, may place an Association under temporary administration.

§ 2 - Unless otherwise provided for in the decree of extraordinary administration, all Association offices shall lapse and the Commissioner shall assume the relevant powers.

§ 3 - The Commissioner shall convene the Assembly for the renewal of the statutory bodies within the time limits set out in the decree of appointment and in any case no later than one year after taking office.

§ 4 - The Commissioner must be a Professed Knight, or a Knight in Obedience for at least five years, and may not be a member of the Association.

TITLE V THE GOODS OF THE ORDER

Article 54

The Nature and Administration of Goods

§ 1 - The Order, the Priors, the Sub-Priors, the Associations and other organisations of the Order, as public legal persons, may acquire, manage, dispose of, and use economic goods in accordance with the law.

§ 2 - Their economic assets are administered by the immediate manager of the public legal entity in accordance with the law of the Order and Canon Law.

§ 3 - No new or increased expenditure in excess of the approved budget can be approved without first determining the corresponding revenue or establishing the means to meet it.

§ 4 - The immediate manager of the legal entity takes invalid actions if these exceed the ordinary administration, unless he has acted in accordance with the following articles.

Article 55

Extraordinary Administration

§ 1 - Expenditures, disposals, debts and other transactions for which, in accordance with Canon Law, the Code or the By-Laws governing the public canonical entity, the licence of the competent authority must be obtained, are acts of extraordinary administration.

§ 2 - The licence of the Holy See must always be obtained for validly disposing of real estate and movable property, precious goods of artistic or historical value and ex-votos donated to the Church.

Article 56

Determination of Acts of Extraordinary Administration

§ 1 - The Chapter General determines the amount above which the Grand Master *ad validitatem* needs the consent of the Sovereign Council and the Council of Professed, given by secret ballot, to incur debts, dispose of assets or incur expenses. The Chapter General also determines the amount above which the written licence of the Grand Master is required in order for the organisations of the Order to validly dispose of assets, incur expenses or debts.

§ 2 - The Priory or Sub-Priory Assembly or the Assembly of the Association determines the amount beyond which the Prior, Sub-Prior or President needs the consent of the respective Chapter or the Board of Directors of the Association, given by secret ballot, in order to validly dispose of goods, incur expenses or debts. The

Priory, Sub-Priory or Association Assembly also determines the amount beyond which the written permission of the Prior, Sub-Prior or President is required in order for the organisations of the Order to validly dispose of goods, incur expenses or debts within their respective areas.

§ 3 - In the cases referred to in §1 above, the acquisition of the non-binding opinion of the Board of Auditors is required *ad validitatem*.

Article 57 *Reporting*

The immediate manager of the legal entity is required to submit an annual balance sheet and budget to his Superior in accordance with the Code and the By-Laws.

Article 58 *Supervision*

Superiors have the duty and the right to carefully supervise the administration of all assets belonging to the legal entities subject to them.

Article 59 *Contributions of the Organisations of the Order*

The Chapter General determines the annual contribution of the Priories, Sub-Priories and Associations for the needs of the Grand Magistracy, in proportion to their respective economic capacity.

TITLE VI TRANSITIONAL AND FINAL PROVISIONS

Article 60 *Transitional Provisions*

§ 1 - This Constitutional Charter shall not affect pardons, privileges, dispensations and acquired rights with regard to the common life and the regime required by the solemn vow of poverty. The right of everyone to choose to comply with the provisions of this Constitutional Charter shall remain unaffected.

§ 2 - The Grand Master, after hearing the Sovereign Council and the Council of Professed, shall, if necessary, issue the appropriate transitional rules to regulate the relationships pending at the time of the entry into force of the Constitutional Charter and the Code.

Article 61

Text and Official Translations of the Constitution

§ 1 – The Constitutional Charter and the Code are written in Italian. The Grand Master, with the advice of the Sovereign Council, shall provide for official translations in other languages.

§ 2 – The official text in Italian, bearing the signature of the Grand Master and the Seal of State, is kept in the Archives of the Grand Magistracy.

§ 3 - In the event of differing interpretations, the official text in the Italian language shall prevail.

Article 62

Observance of the Laws of the Order

The provisions contained in the Laws of the Order do not as such constitute a precept under penalty of sin, unless they concern matters of the Divine Laws, the Vows and the Promise of Obedience.